

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 06-CR-20015
HON. GEORGE CARAM STEEH

WAYLAND MULLINS,

Defendant.

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ORDER DISMISSING MARCH 24, 2010 ORDER TO SHOW CAUSE (# 103)

On March 24, 2010, Attorney Marvin Barnett was ordered to show cause by April 1, 2010, why he has not or cannot provide defendant Wayland Mullins with the entire case file or, alternatively, that he has produced the entire case file to Mullins. In his timely response, Attorney Barnett states that he accumulated a voluminous case file during Mullins' two trials, the first resulting in a hung-jury, and that Mullins was informed that some documents would not be available for copying because they were privileged or extremely sensitive in nature. Attorney Barnett also proffers documentary evidence demonstrating that, on October 10, 2007, he provided Mullins' appointed appellate counsel, Attorney Joan E. Morgan, Joan Ellerbush Morgan, P.C., with the entire file, including an index of the documents. Attorney Barnett further proffers a February 18, 2010 letter he received from Mullins asking for materials that Attorney Barnett states he never possessed and were not part of Mullins' file.

Mullins' motion prompting the March 24, 2010 show cause order is generalized, and fails to show that Mullins is or was unable to secure a copy of his case file from Attorney Morgan. Attorney Barnett has shown cause why he should not be required to reproduce Mullins' entire case file. Accordingly,

IT IS ORDERED that the court's March 24, 2010 show cause order is hereby
DISMISSED, without prejudice.

SO ORDERED.

Dated: April 5, 2010

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
April 5, 2010, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk